

Notice of Allowability**Application No.**

10/620,474

Applicant(s)

RAMBO ET AL.

Examiner

QI HAN

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/24/2010.
2. ☒ The allowed claim(s) is/are 11-13, 15-17 and 19-54.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 07/19/2010.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/ QI HAN/
Primary Examiner, Art Unit 2626

DETAILED ACTION

Response to Amendment

1. This communication is responsive to the applicant's Appeal Brief filed on 05/24/2010.

The examiner withdrew the previous claim rejection under 35 USC 103, because the applicant and examiner reached agreement for further amending the claims in Examiner's Amendment (see detail below), which lead the claimed invention to be allowable (see Reason for allowance below).

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with the applicant's representative, Roy Rhee (57,303), on 07/19/2010. The Examiner's Amendment is as following:

In the **claims** (refer to the **amendment filed on 07/24/2009**):

Regarding **claim 11**, line 7 of the claim, after "said voice analysis platform" insert --, said transmitting and said receiving performed by said voice analysis platform --.

Regarding **claim 19**, lines 3-4 of the claim, after "a first voice analysis platform", delete "for transmitting reference speech through said communication system";

line 5 of the claim, after “a second voice analysis platform”, replace “for receiving said reference speech transmitted,” with --, said first and said second voice analysis platforms used for transmitting and receiving reference speech, --;

line 13 of the claim, after “obtained at said output”, insert -- been--;

line 14 of the claim, after “or said second voice analysis platform”, insert --, wherein at least one of said first voice analysis platform and said second voice analysis platform receives said obtained reference speech sample at said output, said reference speech originating not only from said first voice analysis platform but alternatively from said second voice analysis platform--.

Regarding **claim 30**, line 7 of the claim, after “signal processing element of said plurality of signal processing elements, ”, insert --said reference speech originating from said voice analysis platform, --.

Regarding **claim 41**, line 3 of the claim, after “transmitting a reference speech”, replace “from a first voice analysis platform to” with -- between a first voice analysis platform and--;

line 11 of the claim, after “said second voice analysis platform”, insert --, wherein at least one of said first voice analysis platform and said second voice analysis platform receives said reference speech sample at said output, said reference speech originating not only from said first voice analysis platform but alternatively from said second voice analysis platform--.

-----End of Examiner's Amendment-----

Allowable Subject Matter

4. Claims 11-13, 15-17 and 19-54 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent claims 11, 19, 30 and 41, the instant application is directed to a method and system for assessing voice quality of a communication system and/or monitoring degradation of voice of quality in a communication system. Each of the independent claims, combining certain well-known features in the art, identifies the uniquely distinct features including:

transmitting a reference speech into said communication system,
capturing a speech sample of the transmitted reference speech at one or more
signal processing elements through a network interface or a gateway in the
communication system,
receiving the captured speech sample,
determining/computing voice quality of the received and captured speech sample,
wherein the communication system includes at least one voice analysis platform
that performs both said transmitting and said receiving steps/processes.

5. The prior art of record, GOODMAN (US 7173910 B2), HOUH et al. (US 2002/0016937 A1), CONNOR et al. (US 6,999,560 B1), EL-HENNAWEY et al. (US 2004/0071084 A1) and BAUER et al. (US 2005/026189 A1), provided numerous teachings and techniques for voice quality testing in communication networks/systems, including using text probes at different levels of service and measuring call quality with objective measurement algorithm, such as PAMS or PSQM, including: transmitting/providing a reference voice/speech file/sample from a

test probe, capturing/receiving the reference voice/speech sample at a point of presence within another test probe (signal processing element, can be a gateway) through some interface (such as IP interface) in a communication network (such as PSTN and VOIP), comparing the captured/received speech sample with stored reference speech sample and determining/measuring the difference between them for analyzing the voice/speech quality; providing a gateway with voice activity detection/comfort noise generation; providing echo canceller running on voice gateway; providing a jitter buffer in a receiving system; and providing GUI for displaying results, statistics, and/or PSQM score for the system. However, the combined features stated above are not anticipated by, nor made obvious over the prior art of the record.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Please address mail to be delivered by the United States Postal Service (USPS) as follows:

Mail Stop ____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to: 571-273-8300, (for formal communications intended for entry)

Or: 571-273-8300, (for informal or draft communications, and please label "PROPOSED" or "DRAFT")

If no Mail Stop is indicated below, the line beginning Mail Stop should be omitted from the address.

Effective January 14, 2005, except correspondence for Maintenance Fee payments, Deposit Account Replenishments (see 1.25(c)(4)), and Licensing and Review (see 37 CFR 5.1(c) and 5.2(c)), please address correspondence to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, etc.) as follows:

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Randolph Building
Alexandria , VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to QI HAN whose telephone number is (571)272-7604. The examiner can normally be reached on M-TH:9:00-19:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

QH/qh
July 19, 2010
/QI HAN/
Primary Examiner, Art Unit 2626